

UNITED STATES DISTRICT COURT - DISTRICT OF NEW HAMPSHIRE
ANDRE BISASOR, Plaintiff,

v.

CRAIG S. DONAIS; RUSSELL F. HILLIARD; DONAIS LAW OFFICES, PLLC;
UPTON & HATFIELD, LLP; and MARY K. DONAIS, Defendants.

Case No.1:23-cv-00374-JL

RENEWED EMERGENCY MOTION FOR LEAVE TO EXCEED PAGE LIMIT NOT TO EXCEED 15 PAGES FOR REPLIES TO DEFENDANTS' OBJECTIONS TO PLAINTIFF'S CORRECTED RE-SUBMITTED MOTION TO AMEND THE STATE COMPLAINT

1. I hereby move this court, pursuant to Local Rule 7.1(a)(3), for leave to exceed page limits, not to exceed 15 pages (instead of 25 pages) for my reply to the defendants' objections, as set forth below.
2. I believe the normal page limit for non-dispositive replies are 5 pages and 10 pages for dispositive replies. The court ordered a limit of 10 pages for my replies (presumably from 5 pages). I now ask for additional 5 pages to 15 pages. This is essentially the same number of extra pages that was allowed for the Donais defendants (they requested 10 additional pages and submitted 9 additional pages, which was allowed).
3. The defendants needed 9 additional pages to object to my motion to amend/amended complaint. I need at least the same number of additional pages to reply. I thus renew my request and ask here for the same number of additional pages that they defendants requested and received by the court.
4. It should be noted that the defendants had the advantage of submitting their motion to exceed page limit with their already oversized objection, thus effectively guaranteeing the court would accept whatever added pages that they filed. I perhaps could have done the same thing, by submitting my oversized reply with a motion to exceed page limit at the same time. But I did not do that because I cannot count on the court treating me the same way it treats the defendants. I thus came to the court first with my request for leave to exceed page limit because I did not want to take the risk that the court would deny or strike my oversized filing (which it has done to me in the past). But yet it is instructive that the defendants did not see fit to come to the court first to obtain permission for the added pages (even though I warned them that they should seek leave first before filing the oversized

objection). Evidently, the defendants did not fear any such risk or repercussions from the court because they went ahead anyway and filed the oversized objection with their motion to exceed page limit at the same time (even though they still had time/a couple of days to file one before the other even if only on an emergency basis). NB: It is not fair that I have to worry about the court denying my motion to exceed page limit or striking attached my oversized filings while the defendants do not.

5. It should be remembered that when I similarly filed a motion to exceed page limit for my objection to the defendants motion to dismiss in the fall of 2023, it was denied. Also, my oversized filings was stricken and I was ordered to refile.
6. The bottom line is that it is both proportional and fair to allow me the same additional room to reply to the defendants additional pages, at the same rate or proportion of the additional pages they were allowed . Normally, I am allowed 5 pages to reply to 15 pages of objection in this type of scenario. But the defendants went over that by 9 pages. Moreover, they attached additional 10 pages of exhibit. Every additional page of argument added by the defendants significantly increases the burden of responding. Plus, the usage of 10 more pages of exhibits adds further burden to address the 10 page exhibit. Allowing me only 5 added pages to address 9 additional pages of argument in the objection and 10 additional pages of exhibit is disproportionate and unfair. It is as I as the plaintiff am more constricted in what I can say when I am the one who needs it more as a pro se non lawyer plaintiff. If anything, the leeway should be afforded to me more so because I am at a disadvantage and am not trained to make precise concise effective arguments in court like the defendants can.
7. Also, he court does not know what I will say or want to say or whether what I need to respond to the factual or legal arguments by the defendants or any argument by the defendant in their objection, including in the footnotes and the exhibit pages, will not need more than 5 additional pages, which is rather constricting. As stated before, the defendants also have used their objections to engage in the disputation of facts, which is not permitted at this stage. For example, the Donais defendants have misstated the facts regarding the underlying reason for dismissal in the related Middlesex superior

- court case¹. I have proof of my facts regarding this that I need to present to the court. This requires extra space more than the 5 pages, when considering the total 24 pages of argument that already otherwise need to be addressed. Both defendants also inserted new facts outside the proposed amended complaint, which again is not permitted at this stage. The defendants have also mischaracterized what is in the proposed amended complaint. I need additional space to address this.
8. The motion to amend the complaint is not a minor issue but a significant issue in this case. Without an amended complaint, my rights will be significantly harmed. I need a proper chance to reply to and address the defendants' objections with adequate matching amount of added pages.
 9. In light of the above, I am seeking to exceed page limits, not to exceed 15 pages, for reply to the objections, especially since the court allowed the Donais defendants' motion to exceed page limits by 9 pages. The same grounds used by the court to allow the Donais defendants' motion to exceed page limits should be used to allow my motion to exceed page limits as here stated.
 10. This request is thus reasonable under the circumstances. No one will be prejudiced by this request.
 11. Please grant a pro se liberal construction to this motion. I ask for a ruling as soon as possible given the time sensitivities with this motion.
 12. I previously contacted defendants about the relief requested in this motion and did not concur. I believe I can represent that they do not concur with this motion.
 13. I request that the court grant this motion or such other and further relief as is reasonable and just.

April 8, 2024

Respectfully submitted,
/s/Andre Bisasor
Plaintiff Andre Bisasor

CERTIFICATE OF SERVICE

This filing is served to all parties of record via the e-filing system.

/s/Andre Bisasor
Andre Bisasor

¹The Donais defendants know the truth but have tried to mislead or deceive this court by omission and by deceptively spinning the truth. This disputation of facts will require discovery and resolution of the factual dispute in order to ascertain the bases for the 1-88 dismissal (without prejudice) that occurred in the related MA Middlesex superior court case.